

## MINUTES

### WARRICK COUNTY AREA BOARD OF ZONING APPEALS BY HEARING OFFICER

Special Meeting held in the Plan Commission Office,  
Room 201, Historic Courthouse, Boonville, Indiana

September 5, 2018 – 8:30 AM

**Present were:** Molly Barnhill, Assistant Director and acting as Hearing Officer for the Warrick County Area Board of Zoning Appeals. Also present was Katelyn Cron, Recording Secretary.

#### **BZA-V-18-21**

**APPLICANT/OWNER:** Larry & Deborah Erwin

**PREMISES AFFECTED:** Property located on the S side of Fourth Street approximately 158 feet E of the intersection formed by Fourth Street and Church Street, Lynnville Town (Complete legal on file) 215 E. 4th Street.

**NATURE OF CASE:** Applicant requests a variance from the requirements as set forth in the Comprehensive Zoning Ordinance in effect for Warrick County, IN to allow an Improvement Location Permit to be issued for an unattached accessory building not meeting the 10' minimum requirement between structures. Proposed building is 2' from nearest building. All in an "R-1A" One Family Dwelling Zoning District.

Larry Erwin was present.

Mrs. Barnhill explained that an Ordinance was adopted by the Area Plan Commission and Board of County Commissioners, which amended the Comprehensive Zoning Ordinance to provide a more expedient process for some matters that are heard by the Board of Zoning Appeals. She stated this Ordinance designated the Executive Director as a Hearing Officer for the Board of Zoning Appeals and if this process is followed, instead of advertising the application for public hearing before the Board, the applicant must take an affidavit of non-objection and obtain the signatures of the adjoining or adjacent property owners the Hearing Officer determines that need to be notified of the application. She explained that upon obtaining those signatures, and if all the parties signed that they do not object, the Executive Director would then hold the hearing without waiting for a Board Hearing. She stated in this situation, a hardship would be imposed on the applicants if they had to wait until the next Board meeting on September 24, 2018.

Mrs. Barnhill stated the Variance is to allow an Improvement Location Permit to be issued for an unattached accessory building not meeting the 10' minimum requirement between structures. She said the proposed building is 2' from the nearest building. She said the property was in an "R-1A" One Family Dwelling Zoning District.

The Hearing Officer approved the application, subject to the following conditions:

- a) Subject to an Improvement Location Permit being obtained.

- b) Subject to a Building Permit being obtained.
- c) Subject to the property being in compliance at all times with the applicable zoning ordinances of Warrick County.
- d) Subject to all utility easements and facilities in place.
- e) Subject to a Hold Harmless being recorded.

September 5, 2018  
Date Approved

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Molly Barnhill  
Assistant Director